

Joe Biden for President Campaign Headquarters  
1500 Market St.  
Philadelphia, PA 19102

Dear Jen O'Malley Dillon:

The undersigned organizations are associations and organizations that represent individual creators and small and large businesses from a broad and diverse array of copyright industries, including movies and television, music, book publishing, video games, software, news, research, visual arts and sports. In short, we are all members of the creative community. While our political views may be diverse, as creators and copyright owners, there are core principles on which we all agree and would like to take this opportunity to share our views and to urge the continued and unwavering support of the United States for the protections afforded to these and many other important creative and informative works under U.S. copyright law.

**We embrace a strong copyright system that rewards creativity and promotes a healthy creative economy.** A strong copyright system contributes enormously to our national and state economies. Individual creators and large and small businesses across our economy rely on copyright to protect their freedom to pursue a livelihood and career based on creativity and innovation and to protect their investment in the creation and dissemination of copyrighted works for the public to enjoy. The copyright law is critical not only to their success and prosperity, but also the short and long-term success of the U.S. economy. The incredible cultural and economic value that the internet delivers to billions of users is based in very large part on the efforts of creative content makers whose livelihoods depend on being able to control and commercialize their works. Internet platforms and other online services are making massive profits from creative contributions to the internet's growth. It is critical that content creators be able to share in the value they provide by being fairly compensated for their contributions.

**We proudly assert that copyright promotes and protects free speech.** Freedom of speech and freedom of expression go hand in hand with the freedom to create and to preserve the value and integrity of what one creates. Indeed, the Supreme Court has called copyright the "engine of free expression." The creative community is a staunch supporter of the fair use doctrine, using it regularly in their work. To creative people, self-expression is deeply personal. It is at the heart of everything creators do. We view any effort to diminish the rights of creators in the name of "free speech" as cynical and dishonest.

**We embrace the internet as a powerful tool for the creative industries.** In our creative industries, the internet has helped to advance creativity by removing barriers to entry for newcomers, fostering a dialogue with fans, audiences, and consumers, and providing numerous additional ways to reach them. The internet holds great potential to expand creativity and free expression.

**Copyright should protect creators from those who would use the internet to undermine creativity.** The internet can be a great tool for creators just as it can be a tool for science,

education, health care, and many other disciplines. However, when misused, it can harm creativity and stifle freedom of expression.

There can be no doubt that a safe and secure internet benefits us all. Protecting copyright and internet freedom are both critically important and complementary—they are not mutually exclusive. A truly free internet, like any truly free community, is one where people respect the rights of others and can engage in legitimate activities safely—and where those who do not are held accountable under law by their peers.

**Creators must be part of the conversation and stand up for creativity.** Some organizations and advocates, who in many cases are funded by online platforms, repeatedly claim to be pro-creators and pro-audience to mask their own self-serving agenda. They denigrate or block effective efforts to preserve and promote creative content, including enforcement of existing laws and voluntary industry initiatives. The creative community is rightfully wary of any company or organization that claims to be "against piracy" when their actions do not match their words.

Few laws and few industries do more to support and propel the U.S. economy, and generate a trade surplus than copyright law and the creative industries. In 2017, the core copyright industries added \$1.3 trillion to the US GDP and accounted for 6.85% of the US economy. These core copyright industries also employed nearly 5.7 million workers, which represented 3.85% of the entire US workforce, or 4.54% of total private employment in the United States. Sales of copyrighted works by the core copyright industries in foreign markets amounted to \$191.2 billion—exceeding the exports of major U.S. industries such as chemicals, aerospace, agricultural, electrical, and pharmaceuticals. And growth within core copyright industries far surpasses the average growth rate for other industries. *See the International Intellectual Property Alliance (IIPA)'s "Copyright Industries in the U.S. Economy: The 2018 Report."*

The economic impact of the coronavirus pandemic makes it more important than ever that we remember and appreciate the value and importance of copyright and of protecting the rights of the creative community, especially online. Like many others, individuals and small businesses that work in the creative industries have been hit hard by the pandemic. Most creators were struggling to make ends meet long before the pandemic. On average, in the U.S., musicians earn \$35,000 per year, and photographers earn \$34,000. The median income for authors is \$20,300. But the financial challenges posed by this pandemic – which have been exacerbated by global increases in piracy during the pandemic—have made things exponentially worse, wreaking havoc on the careers and the precarious finances of America's creators and the creative community more generally.

The framers of our Constitution rightly believed that copyright protection would benefit society by incentivizing creativity and innovation, and two centuries later copyright law continues to help drive the U.S. economy, create millions of jobs and small businesses and enrich the lives of all Americans. The creative community stands united in support of a copyright system that will continue to make the United States the global leader in the creative arts and the global paradigm for free expression.

Our copyright system is not perfect but, like democracy, it is better than the alternatives. It works. We urge America's continued commitment to the right of creators to determine when and how they share their works in the global marketplace.

American Association of Independent Music (A2IM)  
American Photographic Artists (APA)  
American Society for Collective Rights Licensing (ASCRL)  
American Society of Composers, Authors and Publishers (ASCAP)  
Artists Rights Society (ARS)  
Association of American Publishers (AAP)  
Association of Independent Music Publishers (AIMP)  
Authors Guild  
BMI  
Church Music Publishers Association (CMPA)  
Copyright Alliance  
Copyright Clearance Center (CCC)  
Directors Guild of America (DGA)  
Global Music Rights (GMR)  
Graphic Artists Guild (GAG)  
International Alliance of Theatrical Stage Employees (IATSE)  
Motion Picture Association  
National Music Publishers' Association (NMPA)  
National Press Photographers Association (NPPA)  
News Media Alliance (NMA)  
Recording Academy  
Recording Industry Association of America (RIAA)  
Screen Actors Guild - American Federation of Television and Radio Artists (SAG-AFTRA)  
SESAC  
Songwriters of North America (SONA)  
SoundExchange